

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION**

JASON WILLIAMS,

Plaintiff,

vs.

AT&T MOBILITY LLC,

Defendant.

Case No. 5:19-cv-00475-BO

**AT&T'S MOTION FOR ORDER OF CIVIL CONTEMPT AGAINST NON-PARTIES
ANEXIO DATA CENTERS, LLC AND ANEXIO MANAGED SERVICES, LLC**

Defendant AT&T Mobility LLC ("AT&T") respectfully moves the Court to hold non-parties Anexio Data Centers, LLC and Anexio Managed Services, LLC (collectively, "Anexio") in civil contempt for violating this Court's October 12, 2021 Order [Doc. 88] commanding Anexio to comply with AT&T's valid and properly-served subpoenas for a Rule 30(b)(6) deposition *duces tecum* of the Anexio entities.

This motion is supported by AT&T's memorandum of law submitted herewith, which AT&T incorporates by reference into this motion, and the Declaration of Michael J. Breslin and exhibits thereto, also submitted herewith.

For the reasons set forth in those supporting materials, AT&T respectfully prays that the Court enter an order:

1. Holding the Anexio entities in civil contempt;
2. Commanding the Anexio entities to:
 - a. Immediately produce to AT&T all documents identified in Exhibit B to the subpoenas;
 - b. Immediately designate in writing to AT&T the individuals who will provide deposition testimony on the Anexio entities' behalf regarding

each of the topics for examination listed in Exhibit A to the subpoenas;

- c. Pay an appropriate coercive daily fine until the above requirements are fully satisfied;
 - d. Make their designees available for deposition within ten days after completing their production of documents; and
 - e. Pay AT&T's reasonable attorneys' fees and costs incurred in bringing this motion; and
3. Granting such other and further relief as the Court deems just and appropriate.

Respectfully submitted this 15th day of December, 2021.

/s/ Joseph S. Dowdy
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Counsel for Defendant AT&T Mobility LLC

CERTIFICATE OF SERVICE

I hereby certify that on date set out below, I electronically filed the foregoing document with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

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I further certify that I have emailed a copy of the foregoing to Anexio representatives Jason Long (jlong@anexio.com) and Tony Pompliano (tony@anexio.com), and to Anexio's "contact us" email (info@anexio.com); and have served the foregoing on Paracorp Incorporated, 176 Mine Lake Ct. #100, Raleigh, NC 27615, the registered agent for Anexio Data Centers, LLC and Anexio Managed Services, LLC, via Federal Express overnight delivery.

This the 15th day of December, 2021.

/s/ Joseph Dowdy

Joseph S. Dowdy